



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,236	10/21/2003	Matthias Helmstetter	TRW(ASG)6800	4934
26294	7590	05/17/2006	EXAMINER	
TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P. 1300 EAST NINTH STREET, SUITE 1700 CLEVEVLAND, OH 44114			GOODEN JR, BARRY J	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,236

Applicant(s)

HELMSTETTER, MATTHIAS

Examiner

Barry J. Gooden Jr.

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 3616

DETAILED ACTION

1. This office action is in response to the amendment filed 2/16/06 and the supplemental amendment filed 3/2/06. Currently claims 1 and 2 are cancelled; claims 3-10 are amended; and claims 11 and 12 are new.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 3, 5, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Schütz, US Patent 6,688,638.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

In regards to claims 3, 5 and 7, Schütz clearly shows a gasbag module (12) comprised of a gas generator (24) and a generator carrier (22) to which a gas generator (24) is fastened. The generator carrier (22) having a base section (23) with detent elements (30) via which the generator carrier (22) and indirectly the gas generator (24) are fastened to the steering wheel (10, 14, 16, 18, and 20). The carrier (22) and detent elements (30) consisting at least partially of a multiple-component plastic (32 and 42) where the multiple-component plastic consists of a carrier material (32) and a coating (42) (As seen in column 3, lines 52-60). The generator carrier (22) comprised of a cup-shaped (22; column 2, line 30) construction with a depression, having a base (23), wherein the gas generator (24) is arranged (Figure 1). The depression having an edge with at least one section formed thereon so as to project laterally (Reference is made to Figure 1 above the spring elements (56)).

Art Unit: 3616

Examiner notes that the detent elements (30) and carrier (22) of Schütz in an embodiment may both consist of plastic and be integrally attached to one another (Column 3, Lines 58-61), therefor the carrier (22) consists of multiple-component plastic as it is integrally formed with the detent elements (30).

Examiner also notes that the holding surface (42) of Schütz is utilized to prevent the gasbag module from rattling and causing disturbing noises whilst traveling (Column 3, Lines 20-26). As such the pin (32) of Schütz, although of plastic, would still necessitate a holding surface of a material designed to limit rattling and noise, this would require a much less rigid plastic than that required for a pin of a detent element. In addition, Schütz does not disclose or show the holding surface (42) being eliminated from the pin (32) when making the pin (32) of plastic, as such the plastic pin (32) shown (Reference is made to Figures 2a and 2b) would still indicate, to one of ordinary skill in the art, that the holding surface (42) is still required. Therefore Schütz discloses all of the claimed elements, including multiple-component plastic detent elements.

4. Claims 9 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Adomeit et al., US Publication 2001/0052689.

In regards to claims 9 and 12, Adomeit et al. discloses all of the claimed elements including a vehicle steering wheel (1) with a gas bag module (4) comprising a gas generator (7) and a generator carrier (5), to which said gas generator (7) is to be fastened directly or indirectly to a vehicle steering wheel (1), said generator carrier (5) consisting at least partially of a multiple-component plastic (Paragraph 0049), said multiple-component plastic defining different layers of said generator carrier (5) (Paragraph 0049), said generator carrier (5) having a cup-shaped construction with a depression in which said gas generator (7) is arranged, and at least one projecting section being formed on an edge of said depression, said projecting section forms a part of a surface of said steering wheel (1) which is visible from the exterior, said projecting section consists of a multiple-component plastic (Reference is made to Figure 1 and Paragraph 0049).

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schütz, US Patent 6,688,638, in view of Worrell et al., US Patent 5,380,037.

The applied reference (Schütz) has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(I)(1) and § 706.02(I)(2).

In regards to claims 4 and 8, Schütz shows all of the claimed elements except for the projecting section consisting of a multiple-component plastic. Worrell et al. teaches the use of a multiple-component plastic (18, 20). It would have been obvious to modify the apparatus as claimed by Schütz to include a multiple-component plastic as taught by Worrell et al. so as to increase the outward appearance and feel.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schütz, US Patent 6,688,638, in view of Fischer, US Patent 6,086,090.

The applied reference (Schütz) has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any

Art Unit: 3616

invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(I)(1) and § 706.02(I)(2).

In regards to claim 6, Schütz discloses all of the claimed elements excluding a covering cap, which is inserted into the depression. Fischer teaches of a covering cap (24) that is inserted into a depression (Reference is made to Figure 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the cover of Schütz in view of the teachings of Fischer to include being inserted into the depression so as to provide a steering wheel that is rugged, easy to manufacture, and easy to install (Column 2, Lines 7-8).

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adomeit et al. in view of Schütz.

In regards to claim 10, Adomeit et al. discloses all of the claimed elements excluding the module being mounted so as to move in the axial direction. Schütz teaches of a module mounted so as to move in the axial direction.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the module of Adomeit et al in view of the teachings of Schütz to include being movable in the axial direction so as to allow a horn to be actuated when the module is displaced axially and thus provide increased functionality and integration.

Art Unit: 3616

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Schütz.

In regards to claim 11, Fischer discloses all of the claimed elements including a gas generator (20) and

a generator carrier (18), to which said gas generator (20) is fastened, said generator carrier (18) being adapted to be fastened to a vehicle steering wheel (12), said generator carrier (18), said generator carrier (18) having a cup-shaped construction with a depression in which said gas generator (20) is arranged, and

a covering cap (24) being provided, which can be inserted into said depression, said depression being constructed such that said covering cap (24) closes said generator carrier (18) externally (Reference is made to Figure 1).

Fischer discloses all of the claimed elements excluding a multiple-component plastic.

Schütz teaches of multiple-component plastic, said multiple-component plastic defining different layers of a carrier. Examiner notes that the detent elements may be integral to the carrier and the pins consist of a multiple-component plastic defining different layers, thus the carrier has multiple-component plastic defining different layers of the carrier.

Response to Amendment

10. Claim 4 has been amended beyond the indicated mark-up. Examiner suggests a properly marked version be submitted in compliance with 37 CFR 1.121 (c)(2).

11. Applicant's arguments filed 2/16/06, with respect to Schütz have been fully considered but they are not persuasive. Schütz discloses all of the claimed elements including a multi-component plastic detent element.

12. Applicant has submitted a certified translation of the priority document all rejections involving Rumpf have been withdrawn. New grounds of rejection have been applied.

Art Unit: 3616

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry J. Gooden Jr. whose telephone number is (571) 272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJG

Barry J Gooden Jr.
Examiner
Art Unit 3616



**ERIC CULBRETH
PRIMARY EXAMINER**